

P2941 US

U.S. APPLICATION NO  
08/981,924

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US).  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
PCT/DE96/01296

INTERNATIONAL FILING DATE  
July 12, 1996

PRIORITY DATE CLAIMED  
July 12, 1995

TITLE OF INVENTION    METHOD FOR DETERMINING THE EFFECTIVENESS AND TOLERANCE OF A  
XENOGENEIC SUBSTANCE ADMINISTERED TO AN ORGANISM

APPLICANT(S) FOR DO/EO/US

LAUK, Christiane

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I)
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C.371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C.371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C.371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C.371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C.371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C.371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

1. Return Postcard
2. Petition to Revive
3. Copy of Communication from USPTO dated October 6, 1998

**RECEIVED**

**28 OCT 1998**

**Legal Staff  
International Division**

U.S. APPLICATION NO  
08/981,924

INTERNATIONAL APPLICATION NO.  
PCT/DE96/01296

ATTORNEYS DOCKET NUMBER  
2941US

17. The following fees are submitted:

CALCULATIONS PTO USC Only

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5)):**

Search Report has been prepared by the EPO or JPO.....\$ 930.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
.....\$720.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00

Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2) paid to USPTO.....\$1070.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4).....\$98.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 X 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
|--------|--------------|--------------|------|
|--------|--------------|--------------|------|

|              |       |  |            |
|--------------|-------|--|------------|
| Total claims | -20 = |  | X \$ 22.00 |
|--------------|-------|--|------------|

\$

|                    |       |  |         |
|--------------------|-------|--|---------|
| Independent claims | - 3 = |  | X \$ 82 |
|--------------------|-------|--|---------|

\$

|                                             |  |  |          |
|---------------------------------------------|--|--|----------|
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) |  |  | + \$ 270 |
|---------------------------------------------|--|--|----------|

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 130

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 2.28).

**SUBTOTAL =**

\$ 65

Processing fee of \$130.00 for furnishing the English translation later than 20 X 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 130

**TOTAL NATIONAL FEE =**

\$ 195

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

**TOTAL FEES ENCLOSED =**

\$ 195

Amount to be:

refunded \$

charged \$

a.    A check in the amount of \$                      to cover the above fees is enclosed.

b. X Please charge my Deposit Account No. 50-0355 in the amount of \$ 250 to cover the above fees\*.

c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-0355. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))  
must be filed and granted to restore the application to pending status.

\* Includes Petition fee of \$55

Please send all correspondence

by AIRMAIL

to:

Dr. Paul J. Vincent  
Schuster & Partner  
Wiederholdstrasse 10  
D-70174 Stuttgart

Fed. Rep. of Germany

*Paul Vincent*

SIGNATURE:

Dr. Paul J. Vincent

NAME

37,461

REGISTRATION NUMBER

|                                   |                                                 |                                   |
|-----------------------------------|-------------------------------------------------|-----------------------------------|
| U.S. APPLICATION NO<br>08/981,924 | INTERNATIONAL APPLICATION NO.<br>PCT/DE96/01296 | ATTORNEYS DOCKET NUMBER<br>2941US |
|-----------------------------------|-------------------------------------------------|-----------------------------------|

  

| <p>17. The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1)-(5)):</b><br/>         Search Report has been prepared by the EPO or JPO.....\$ 930.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482)<br/>         .....\$720.00</p> <p>No international preliminary examination fee paid to USPTO (37 CFR 1.482)<br/>         but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$790.00</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor<br/>         international search fee (37 CFR 1.445(a)(2) paid to USPTO.....\$1070.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482)<br/>         and all claims satisfied provisions of PCT Article 33(2)-(4).....\$98,00</p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <input checked="" type="checkbox"/> 30<br/>         months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table style="width: 100%;"> <tr> <th style="text-align: left;">CLAIMS</th> <th style="text-align: left;">NUMBER FILED</th> <th style="text-align: left;">NUMBER EXTRA</th> <th style="text-align: left;">RATE</th> </tr> <tr> <td>Total claims</td> <td>-20 =</td> <td></td> <td>X \$ 22.00</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>X \$ 82</td> </tr> </table> <p>MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$ 270</p> <p style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></p> <p>Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement<br/>         must also be filed (Note 37 CFR 1.9, 1.27, 2.28).</p> <p style="text-align: right;"><b>SUBTOTAL =</b></p> <p>Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <input checked="" type="checkbox"/> 30<br/>         months from the earliest claimed priority date (37 CFR 1.492(f)).</p> <p style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></p> <p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br/>         accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p> <p style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></p> | CLAIMS        | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | -20 = |  | X \$ 22.00 | Independent claims | - 3 = |  | X \$ 82 | <table style="width: 100%;"> <tr> <th style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USC Only</th> </tr> <tr> <td style="height: 150px;"></td> <td></td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 60%;"></td> <td style="width: 20%; text-align: right;">\$</td> <td style="width: 20%;"></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 130</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 130</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 65</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 130</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 195</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$ 195</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">Amount to be:</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">refunded \$</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">charged \$</td> <td></td> </tr> </table> | CALCULATIONS | PTO USC Only |  |  |  | \$ |  |  | \$ 130 |  |  | \$ |  |  | \$ |  |  | \$ |  |  | \$ 130 |  |  | \$ |  |  | \$ 65 |  |  | \$ |  |  | \$ 130 |  |  | \$ |  |  | \$ 195 |  |  | \$ |  |  | \$ 195 |  |  | Amount to be: |  |  | refunded \$ |  |  | charged \$ |  |
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| CLAIMS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | NUMBER FILED  | NUMBER EXTRA | RATE         |      |              |       |  |            |                    |       |  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |              |              |  |  |  |    |  |  |        |  |  |    |  |  |    |  |  |    |  |  |        |  |  |    |  |  |       |  |  |    |  |  |        |  |  |    |  |  |        |  |  |    |  |  |        |  |  |               |  |  |             |  |  |            |  |
| Total claims                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | -20 =         |              | X \$ 22.00   |      |              |       |  |            |                    |       |  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |              |              |  |  |  |    |  |  |        |  |  |    |  |  |    |  |  |    |  |  |        |  |  |    |  |  |       |  |  |    |  |  |        |  |  |    |  |  |        |  |  |    |  |  |        |  |  |               |  |  |             |  |  |            |  |
| Independent claims                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | - 3 =         |              | X \$ 82      |      |              |       |  |            |                    |       |  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |              |              |  |  |  |    |  |  |        |  |  |    |  |  |    |  |  |    |  |  |        |  |  |    |  |  |       |  |  |    |  |  |        |  |  |    |  |  |        |  |  |    |  |  |        |  |  |               |  |  |             |  |  |            |  |
| CALCULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | PTO USC Only  |              |              |      |              |       |  |            |                    |       |  |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |              |              |  |  |  |    |  |  |        |  |  |    |  |  |    |  |  |    |  |  |        |  |  |    |  |  |       |  |  |    |  |  |        |  |  |    |  |  |        |  |  |    |  |  |        |  |  |               |  |  |             |  |  |            |  |
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a.      A check in the amount of \$                      to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 50-0355 in the amount of \$ 250 to cover the above fees\*.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-0355. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))  
must be filed and granted to restore the application to pending status.

\* Includes Petition fee of \$55

Please send all correspondence  
by AIRMAIL  
to:

Dr. Paul J. Vincent  
Schuster & Partner  
Wiederholdstrasse 10  
D-70174 Stuttgart

Fed.Rep. of Germany

SIGNATURE:

Dr. Paul J. Vincent

NAME

37,461

REGISTRATION NUMBER